



C.M.A(MD)No.376 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.M.A(MD)No.376 of 2020

J.Boovana

... Appellant/ Petitioner

-VS-

L.Chandran

... Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal has been filed under Section 55 of the Divorce Act, 1869, r/w Section 19 of Family Court Act, against the Fair and Decreetal order dated 16.04.2019 made in I.D.O.P.No.178 of 2018 on the file of the Family Court, Nagercoil, Kanyakumari District.

For Appellant : Mr.K.Rajeshwaran

For Respondent : Mr.V.Malaiyendran

JUDGMENT

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

This Civil Miscellaneous Appeal is directed against the Fair and Decreetal order dated 16.04.2019 in I.D.O.P.No.178 of 2018 on the file of the Family Court, Nagercoil, Kanyakumari District.



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2. Today, when the matter is taken up for hearing, this Court considering the submissions made by the learned counsels on either side, referred the matter to the Mediation Centre and also directed the parties to appear before the Mediation and Conciliation Centre attached to this Bench.

3. Pursuant to an order passed in the forenoon session, the parties have appeared before the Tamil Nadu Mediation and Conciliation Centre available at the Madurai Bench of Madras High Court and the Mediation Centre has submitted a report today ie., 18.10.2023. The Mediator is able to sort out the settlement between the parties and the same is recorded in the memo of compromise settlement and in Paragraph No.6, the following settlement has been stated:

(a) The appellant/wife and the respondent/husband appeared before mediation on today, the respondent/husband agreed to give consent for divorce and no objection in allowing this CMA.

(b) The respondent husband will co-operate in deleting the appellant and their sons name in the ration card.



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4. The parties have appeared before us in our Chamber. A memo of compromise was reaffirmed by explaining the same in Tamil to the parties. The wife/appellant has waived her claim of maintenance as she is employed and so also, the respondent/husband has waived his right of custody of the minor child. The above statements made by the respective parties are hereby recorded and this Court appreciated the efforts of the Mediator.

5. Accordingly, this Civil Miscellaneous Appeal stands allowed and the order dated 16.04.2019 in I.D.O.P.No.178 of 2018 passed by the learned Family Court, Nagercoil, Kanyakumari District, is set aside. The marriage between the parties stands dissolved. The terms of settlement agreement shall form part of the decree. No costs.

[T.K.R., J.] [P.B.B., J.]

18.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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RMT.TEEKAA RAMAN, J.
and
P.B.BALAJI, J.

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To

- 1.The Family Court, Nagercoil, Kanyakumari District.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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